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REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

40101/09901

In re Application of: Koning

Application No.: 10/800,068

Filed: March 11, 2004

For: Operating System Having a System Page and Method for Using Same

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The owner*, Wind River Systems, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,735,666 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

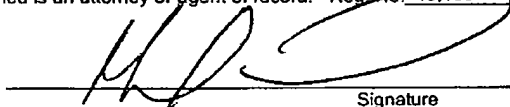
- expires for failure to pay a maintenance fee;
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 48,198



Signature

5/21/2008

Date

Michael J. Marcin, Esq.

Typed or printed name

212-619-6000

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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PAGE 6/10 * RCVD AT 5/21/2008 6:25:49 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-5/14 * DNIS:2738300 * CSID:2126190276 * DURATION (mm-ss):08-14

Attorney Docket No. 40101/09901 (2000.003div)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED
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Applicant(s) : Koning
Serial No. : 10/800,068
Filed : March 11, 2004
For : Operating System Having a System Page and Method for
Using Same
Group Art Unit : 2189
Confirmation No. : 8452
Examiner : Behzad Peikari

Mail Stop: Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


STATEMENT UNDER 37 CFR 3.73(b)

Wind River Systems, Inc. hereby states that it is the assignee of the entire right, title, and interest of the above-identified application and U.S. Patent No. 6,735,666. The assignment of U.S. Patent No. 6,735,666 to Wind River Systems, Inc. was recorded on February 22, 2000 and assigned Reel/Frame No. 0010630/0681. The assignment of the above-identified application from the inventor to Wind River Systems, Inc was filed on May 21, 2008 a copy which is enclosed herewith.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Respectfully submitted,

Dated: May 21, 2008

By: 
Michael J. Marcin, Reg. No. 48,198

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